

REMARKS

Claims 21, 22, 24, 25 and 27 are pending in the present application. Claims 21, 25 and 27 have been amended. Claims 23 and 26 have been canceled.

Advisory Action

In the Advisory Action dated October 3, 2003, the Examiner acknowledged that the prior art rejection of claims 23 and 26 has been overcome in view of the Request for Reconsideration dated July 17, 2003. The Examiner further acknowledged that for purposes of Appeal, claims 23 and 26 stand as objected to.

Claim Rejections-35 U.S.C. 103

Claims 21, 22, 24, 25 and 27 stand as rejected under 35 U.S.C. 103(a) as being unpatentable over the Frye et al. reference (U.S. Patent No. 5,534,465) in view of the Yamada et al. reference (U.S. Patent No. 5,864,178).

Allowable Subject Matter

In view of the acknowledgment in the Advisory Action that claims 23 and 26 now stand as objected to, independent claims 21 and 25 have been respectively amended to include the features of dependent claims 23 and 26. Accordingly, claims 21, 22, 24, 25 and 27 should now be in condition for allowance. Applicant however does not concede that the rejection of previously pending independent claims 21 and 25 is

proper. The above noted amendments as presented herewith have been made merely to advance prosecution of this application.

Conclusion

Since independent claims 21 and 25 have been amended merely to include the features of respective dependent claims 23 and 26, entry and consideration of this amendment should not be an undue burden requiring further consideration and search. For the same reasons, these amendments should not be construed as narrowing scope within the meaning of *Festo*. Accordingly, favorable consideration and entry of the amendment, and allowance of the present application, are respectively requested.


In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (703) 715-0870 in the Washington, D.C. area, to discuss these matters.

Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), the Applicant hereby petitions for an extension of three (3) months to October 17, 2003, for the period in which to file a response to the outstanding Office Action. The required fee of \$950.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

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